

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARION LYNETTE FRANKS,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

No. 2:23-CV-2736-DMC

ORDER

Plaintiff, who is proceeding with retained counsel, brings this action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). Pending before the Court is Plaintiff's motion for leave to proceed in forma pauperis, ECF No. 2.

Plaintiff has submitted the affidavit required by § 1915(a) showing that Plaintiff is unable to prepay fees and costs or give security therefor. The request to proceed in forma pauperis will, therefore, be granted. See 28 U.S.C. § 1915(a).

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis, ECF No. 2, is granted;
2. The Clerk of the Court is directed to issue a summons for this case;

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1 3. Service on Defendant shall proceed under the Court's E-Service program
2 as follows: once a summons is issued, the Clerk of the Court shall deliver to the Commissioner of
3 Social Security and the United States Attorney's Office at their designated email addresses a
4 notice of electronic filing of the action along with the summons and complaint; the Commissioner
5 has agreed not to raise a defense of insufficient service of process if provided with notice of a
6 complaint as detailed in this order; this order is not intended to prevent parties from making any
7 other motions that are appropriate under the Federal Rules of Civil Procedure; and

8 4. The Clerk of the Court is directed to serve on Plaintiff the undersigned's
9 scheduling order in social security cases.

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11 Dated: November 30, 2023



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE

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